

in the western hemisphere. When they first implemented this program, I visited Vancouver and watched the distribution of needles. They assured me that this was going to get the problem under control, even though they saw rising drug abuse in the center city of Vancouver. By the next time I went up to Vancouver, they had multiple needle sites, that in fact some of the needle sites in downtown Vancouver were competing with each other and arguing over who got to provide the needles. We saw in many of these urban center areas, which has been repeated in New York and in other places where they've had these experimental programs that in fact it has increased codependency because in many of these areas where you see people who are being treated for a variety of different illnesses, you have homeless shelters, and we've seen a rise in codependency because the needle exchange programs and the heroin dealers are down where the needle exchange programs are and we've seen an increase and a rise in this.

Recent studies out of Vancouver are continuing to prove on a steady, systematic way that it has been one colossal failure that had been touted on this House floor as a solution to HIV. I believe that it is not only practically wrong for us to provide the funds through taxpayer funds to a program that is not only practically not effective in stopping HIV, it is, I believe, morally and ethically wrong to ask the taxpayers to in effect provide the very needles that keep people addicted to heroin.

Mr. Chairman, I reserve the balance of my time.

The Acting CHAIRMAN. Does the gentleman continue to reserve his point of order?

POINT OF ORDER

Mr. SERRANO. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law." The amendment requires a determination.

I ask for a ruling from the Chair.

The Acting CHAIRMAN. Does any other Member wish to be heard on the point of order?

If not, the Chair finds that this amendment imposes new duties on the Secretary. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the amendment is not in order.

AMENDMENT OFFERED BY MR. SOUDER

Mr. SOUDER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SOUDER:

At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act (including funds made available in title IV or VIII) may be used for the Prevention Works or Whitman-Walker Clinic needle exchange programs.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Indiana (Mr. SOUDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

I was hoping that we could deal with this issue in a broader amendment and I misspoke. We have a battle on the House floor over direct funding. This is in particular a limitation and I understood that under parliamentary rules my earlier amendment might be tossed out on grounds of trying to legislate on an appropriations bill.

In the past, just for the record, the Rules Committee has always protected this amendment because we felt it was absolutely critical not to have the distribution of needles to heroin addicts in our capital city of America. But since the Rules Committee did not protect the general, this particular amendment in front of us doesn't really have a broad, sweeping effect on the District of Columbia but in fact targets two programs that have in fact in the past ineffectively distributed needles and syringes.

The general question is, and this is a proxy vote, is do you believe that needles should be distributed to heroin addicts by public enemies, and particularly in our Nation's Capital. Should we repeat in the streets of Washington, DC, what has failed in so many cities in the United States and around the world, in a, I believe, heartfelt honest attempt to reduce HIV virus, instead hasn't reduced HIV virus or at least at best—there is dispute as to that—but has in fact increased and sustained heroin addiction in the United States.

Mr. Chairman, I reserve the balance of my time.

Mr. SERRANO. Mr. Chairman, I rise in very strong opposition to this amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, this is one of those amendments that leaves you scratching your head. This really is an issue that has been visited for so many years and well understood by the medical profession and activists and citizens throughout this country. We are not promoting the use of drugs. In fact, every needle exchange program that I am familiar with, including the one that exists in my congressional district, encourages people to seek treatment, demands in many cases that you seek treatment. But all it says is that while you are a drug addict, while you are trying to get off

that addiction, that you not spread the HIV virus by sharing needles.

This is a very sensible medical approach to a very serious social issue and a medical issue. When you have folks who are addicted, the impression that some people get is that this is some sort of a party that people go to and they get drugs by getting needles. What you get is a medical procedure that says you're addicted, we want to help you, we want you to submit yourself to treatment, but in the meantime we will ask you to use this needle rather than one that you can share with someone else and either get the HIV virus or pass it on to someone else.

Washington, DC, is number one in the Nation in AIDS cases right now. All this language says is that the local government will be able to use its local funds to put forth a needle exchange program. My God. To what extent will we continue in this House as we have in the past to take every social issue that we can't win in our local districts and bring it and put it on the people of the District of Columbia and say this is how we want you to behave, because this is what I believe in and back home I can't do this, so I'm going to do it on you and I'm going to do it to you.

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The mayor, city council, the leadership, has asked over and over again, give us the opportunity to deal with this issue on our own, in our own way, and in our own terms.

We are not, if I had my way, I would have said that Federal funds could be used for a needle exchange program. That's who I am. But that's not what this says. This simply says that those dollars that are raised locally by the people in the District of Columbia, that they can use it for a program that can save lives, that can stop the spread of AIDS, that can deal with an issue in the most proper and humane way.

This is one of those issues where you have to go deep into your soul, into your heart and not deal with the rhetoric of what sounds right in a 30-second sound bite, but what is proper for public safety, for public health, and for the human dignity of a person that already has a major problem.

I have dealt with a lot of people who are addicted for a long time in my district. I know the pain they go through. At the expense of perhaps making light of it, when they show up at a needle exchange program, they are not dressed in tuxedos with martinis in their hands having a ball. They are people who are hurting, hurting and trying to survive somehow. This may just give them a chance not to get sick, but perhaps just as important, or most importantly, not to make someone else sick.

I would hope that the gentleman fully understands what this is. One, it's local control over the destiny of the District of Columbia; and, secondly, it is a proper medical way for this society to deal with an issue.

Mr. Chairman, I reserve the balance of my time.